

image
10-31-03

AF/1700

PTO/SB/31 (02-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)
KAI475/4-002DIV

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington D.C. 20231*
on October 30, 2003

Signature

Typed or printed name Timothy S. Corder

Express Mail No. EV253711949US

In re Application of
Gross, et al.

Application Number
09/813,327

Filed
March 20, 2001

For
All Natural Accelerated Aging of Distilled Spirits

Group Art Unit
1761

Examiner
C. Sherrer

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00.

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 165.00.

☐ A check in the amount of the fee is enclosed.

11/03/2003 BABRAHA1 00000090 09813327

01 FC:2401

165.00 OP

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a): _____

Signature

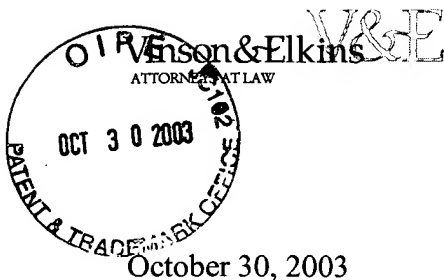
Timothy S. Corder
Typed or printed name

10/30/03
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 2 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



October 30, 2003

VINSON & ELKINS L.L.P.
2300 FIRST CITY TOWER
1001 FANNIN STREET
HOUSTON, TEXAS 77002-6760
TELEPHONE (713) 758-2222
FAX (713) 758-2346
www.velaw.com

Timothy S. Corder
Direct Dial 512-542-8446
Direct Fax 512-236-3377
tcorder@velaw.com

CERTIFICATE OF EXPRESS MAILING
NUMBER: EY253711949US
DATE: October 30, 2003
This paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

MAIL STOP AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application Serial No. 09/813,327 entitled "ALL NATURAL ACCELERATED AGING OF DISTILLED SPIRITS" by Gross, *et al.*
(Our Ref. No.: KAI475/4-002DIV/58001)

Sir:

Enclosed for filing in the above-referenced patent application are:

1. Notice of Appeal (in duplicate);
2. Credit Card Payment Form (\$165.00); and
3. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

Should any additional fees be required for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/KAI475/4-002DIV/58001.

Respectfully submitted,

Timothy S. Corder
Patent Agent
Reg. No. 38,414

9282:3058
Enclosures

395575_1.DOC